

Congress of the United States
Washington, DC 20515

May 5, 2020

The Honorable Steve Mnuchin
Secretary of the Treasury
Department of the Treasury
1500 Pennsylvania Ave. NW
Washington, DC 20220

The Honorable Jovita Carranza
Administrator
U.S. Small Business Administration
409 3rd Street, SW
Washington, D.C. 20416

Dear Secretary Mnuchin and Administrator Carranza,

Thank for your efforts to provide critical and necessary support to America's working families and small businesses during this exceptionally challenging time. As the administration continues to implement the Paycheck Protection Program (PPP) as part of the Coronavirus Aid, Relief, and Economic Security (CARES) Act, we write to ask the Treasury Department and the Small Business Administration to provide additional interim guidance that consider the unique needs of the winter seasonal employers within our state.

Utah is home to many of the nation's most popular ski areas, which serve as the economic drivers for their surrounding communities. The large majority of these Utah businesses operate under private or family ownership. The economic impact of these seasonal businesses is wide-reaching, from supporting the hospitality industry to attracting visitors who generate significant commercial activity at local restaurants and shops. According to recent data, it is estimated that Utah's ski industry supports more than 20,000 jobs and generates approximately \$1.8 billion in economic activity each year.

We appreciate the Treasury Department's recent effort to expand PPP loans for seasonal employers. On April 27, Treasury issued an interim rule to expand PPP loan amount sizes for summer seasonal businesses, adding an "alternative means" or "alternative base period" for calculating PPP loan amounts, allowing summer seasonal employers to consider their payroll from May 1 through September 15 to maximize the size of their PPP loans. In this interim rule, Treasury referred to an oversight in the CARES Act as a "disparity" relating to summer businesses.

We write to stress that ski areas also face a "disparity" in terms of how they calculate employee retention for purposes of maximizing PPP forgiveness. As the CARES Act is currently understood, we have been told by local ski area businesses that they only stand to achieve approximately 20 percent PPP loan forgiveness—a significant "disparity" relative to other small businesses.

We request that you please consider the ski industry's urgent need for interpretative guidance. In short, allow these winter seasonal employers the opportunity to elect a similar 8-week "alternative base period" from 2019—as the Treasury Department characterized it in the April 27 guidance—to calculate the number of employees that must be retained for maximum loan forgiveness. By doing so, these winter seasonal employers could maintain a workforce size they would normally employ during this time of year and achieve closer to 80 or 90 percent PPP loan forgiveness, which would better equip them to weather this difficult situation and recover to employ their winter season employees later this year.


As the Treasury Department's interim rule explained, your adoption of the May-September "alternative base period" for summer businesses "ensures that seasonal employers affected by the pandemic are treated even-

handedly.” We simply ask for similar “even-handed” treatment as it relates to PPP loan forgiveness for winter seasonal employers like the 470 ski areas in the U.S.


As we continue to fight the COVID-19 pandemic, our local communities that rely on strong tourism and seasonal business will be among the most economically vulnerable. It is crucial that we take all the necessary steps to protect them.

Thank you for your tremendous efforts to ensure PPP loans are usable for the ski industry, and thus directly help their employees financially support themselves and their families through this difficult time.


Sincerely,



John Curtis
Member of Congress




Mike Lee
U.S. Senator




Rob Bishop
Member of Congress



Mitt Romney
U.S. Senator



Chris Stewart
Member of Congress



Ben McAdams
Member of Congress